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6 Attorneys for Interested Party
Jefferson Loflin

7 UNITED STATES BANKRUPTCY COURT
8 FOR THE DISTRICT OF NEVADA

9
10 In re:

11 GYPSUM RESOURCES
12 MATERIALS, LLC,

13 Affects Gypsum Resources Materials, LLC
14 Affects Gypsum Resources, LLC
15 X Affects all Debtors

Case No. BK-S-19-14796-MKN

Jointly Administered with
Case No. BK-S-19-14799-MKN

Chapter 11 Case

**STIPULATION FOR RELIEF FROM
THE AUTOMATIC STAY**

(NO HEARING REQUIRED)

17 This stipulation (“Stipulation”) is made by and between Gypsum Resources Materials, LLC
18 and Gypsum Resources, LLC (collectively, “Debtors”), by and through their counsel, Brett A.
19 Alexrod, Esq., Fox Rothschild, LLP, and interested party Jefferson Loflin (“Loflin”), by and through
20 his counsel, Lee High Ltd. and is predicated upon the following:

RELEVANT BACKGROUND

21 1. On January 7, 2019, Loflin filed a Complaint in the Eighth Judicial District Court
22 for the District of Nevada, Clark County against Karl Kosey (“Defendant” or “Kosey”) as Case
23 No. A-19-787012-C, entitled *Loflin v. Kosey et al.* (the “State Court Case”).

25 2. On July 26, 2019, the Debtors filed separate voluntary petitions under Chapter 11
26 of Title 11 of the Bankruptcy Code, thereby commencing the above-captioned Chapter 11 cases
27 (“Chapter 11 Cases”). Docket No. 1.

1 3. On August 5, 2019, the Court entered the Order Directing Joint Administration of
 2 Related Cases Pursuant to Bankruptcy Rule 1015(b) and Local Rule 1015, ordering that the
 3 Chapter 11 Cases be jointly administered. Docket No. 29.

4 4. On November 26, 2019, Kosey named both Debtors as third-party defendants in
 5 the State Court Case.

6 5. On February 6, 2020, counsel for the Debtors in the State Court Case filed the
 7 Third-Party Defendants Gypsum Resources, LLC and Gypsum Resource Materials, LLC Notice
 8 of Bankruptcy Actions. Debtors thereafter filed the Third-Party Defendants Gypsum Resources
 9 Materials, LLC and Gypsum Resources, LLC's Answer to Karl Kosey's Third-Party Complaint
 10 on March 3, 2020.

11 6. Debtors and Loflin have met and conferred and have agreed and stipulate as
 12 follows:

- 13 a. The automatic stay pursuant to 11 U.S.C. § 362(a) shall be terminated for the
 14 purpose of allowing Loflin to propound discovery on the Debtors to assist him
 15 with his claims against Kosey in the State Court Case;
- 16 b. Loflin's claims against the Bankruptcy Estate are zero; and
- 17 c. Nothing in this Stipulation shall prevent Loflin from pursuing his worker's
 18 compensation claims outside of the Debtor's Bankruptcy Estate.

19 **NOW, THEREFORE**, Debtors and Loflin stipulate and agree as follows:

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AGREEMENT

Based upon the foregoing and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Debtors and Loflin stipulate and agree as follows, subject only to entry of an order by this Court approving this Stipulation:

1. Debtors and Loflin have met and conferred and have agreed and stipulate that the automatic stay pursuant to 11 U.S.C. § 362(a) shall be terminated for the purpose of allowing Loflin to propound discovery on the Debtors to assist him with his claims against Kosey in the State Court Case.

2. Loflin's claims against the Bankruptcy Estate are zero.

3. Nothing in this Stipulation shall prevent Loflin from pursuing his worker's compensation claims outside of the Debtor's Bankruptcy Estate.

IT IS SO STIPULATED.

DATED this 13th day of May, 2021.

LEE HIGH LTD.

FOX ROTHSCHILD, LLP

By: /s/ Elizabeth A. High, Esq.

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